

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA**

SEPTEMBER 19, 2006

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

WORKSHOP SESSION

3. 9:30 A.M. Mecca Farms - Alternative Site Uses (PZ&B)

4. REGULAR AGENDA

TIME CERTAIN - 11:00 A.M. (Executive Session with CWA)
TIME CERTAIN - 11:15 A.M. (Executive Session with ATU Local 1577)
TIME CERTAIN - 11:30 A.M. (Executive Session with IAFF)

4. REGULAR AGENDA

A. CLERK AND COMPTROLLER

- 1. **Staff recommends motion to approve:** Warrant List.
- 2. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

B. ADMINISTRATION

- 1. Staff recommends motion to approve: reimbursement of additional utility line relocation costs to the Scripps Research Institute associated with the construction of its permanent facilities on the Florida Atlantic University (FAU) Jupiter Campus in the amount of \$784,161.80. **SUMMARY:** The Grant Agreement established estimates of \$1,500,000 for the relocation of the existing utility lines to facilitate construction of Scripps permanent facilities on the John D. McArthur Campus of FAU in Jupiter. The Grant Agreement required Scripps to obtain a binding estimate from Florida Power and Light (FPL). The binding estimate has been established at \$2,284,161.80. The Grant Agreement provides, that in the event FPL's binding estimate is more than \$1,500,000, the County may agree to reimburse Scripps for the difference between \$1,500,000 and the binding estimate. If the County does not agree to reimburse Scripps for the additional utility relocation costs, the Grant Agreement gives Scripps the right to terminate the Grant Agreement. Upon termination of the Grant Agreement, Scripps would be released from its obligations to County. FP&L is unable to provide a binding estimate. This estimate includes contingency allowances (10%) which will be reimbursed to the County if not expended. Countywide (JM)

CLOSED SESSION

- 2. Executive Session to be held at 11:00a.m. in the McEaddy Conference Room for the purpose of discussing collective bargaining negotiations with the Communications Workers of American (CWA)

CLOSED SESSION

- 3. Executive Session to be held at 11:15a.m. in the McEaddy Conference Room for the purpose of discussing collective bargaining negotiations with the Amalgamated Transit Union (ATU) Local 1577.

CLOSED SESSION

- 4. Executive Session to be held at 11:30a.m. in the McEaddy Conference Room for the purpose of discussing collective bargaining negotiations with the International Association of Fire Fighters (IAFF).

4. REGULAR AGENDA

C. ENGINEERING

1. Staff recommends motion to:

- A) **declare** Petro Hydro, Inc., in default of its contract with the County for Project Number 2003600, S.R. 80 (Southern Boulevard) and Forest Hill Boulevard intersection improvements;
- B) **terminate** Petro Hydro, Inc.'s, right to complete the work under the contract; and
- C) **authorize** the County Administrator, or his designee, to make demand on Petro Hydro's surety to fulfill its obligations under the Public Construction Bond for this project.

SUMMARY: On March 14, 2006, the Board of County Commissioners approved a contract with Petro Hydro, Inc. (Petro Hydro) for Project Number 2003600, S.R. 80 (Southern Boulevard) and Forest Hill Boulevard intersection improvements (R2006-0435). The Contract provided for a construction period of 180 days. At this time, more than 50% of the contract time has elapsed and Petro Hydro has completed less than 5% of the work. Despite repeated written requests, Petro Hydro has failed to properly man and prosecute this work. On September 5, 2006, Petro Hydro was given ten (10) days to cure its deficient performance and has failed to do so. District 6 (JM)

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**BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

SEPTEMBER 19, 2006

<u>PAGE</u>	<u>ITEM</u>	
2	4B-1	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: reimbursement of additional utility line relocation costs to the Scripps Research Institute associated with the construction of its permanent facilities on the Florida Atlantic University (FAU) Jupiter Campus in the amount of \$784,161.80 <u>\$831,000</u> . <u>SUMMARY:</u> The Grant Agreement established estimates of \$1,500,000 for the relocation of the existing utility lines to facilitate construction of Scripps permanent facilities on the John D. McArthur Campus of FAU in Jupiter. The Grant Agreement required Scripps to obtain a binding estimate from Florida Power and Light (FPL). The binding estimate has been established at \$2,284,161.80 <u>\$2,331,000</u> . The Grant Agreement provides, that in the event FPL’s binding estimate is more than \$1,500,000, the County may agree to reimburse Scripps for the difference between \$1,500,000 and the binding estimate. If the County does not agree to reimburse Scripps for the additional utility relocation costs, the Grant Agreement gives Scripps the right to terminate the Grant Agreement. Upon termination of the Grant Agreement, Scripps would be released from its obligations to County. FP&L is unable to provide a binding estimate. This estimate includes contingency allowances (10%) which will be reimbursed to the County if not expended. <u>Countywide</u> (JM) (Administration)
2	4B-5	<u>ADD-ON:</u> Special Presentation to Remar M. Harvin for his 19 years of dedicated service to Palm Beach County.
3	4D-1	<u>ADD-ON: Staff recommends motion to approve:</u> staff recommendations for allocation of Financially Assisted Agencies FY 2007 funding. <u>SUMMARY:</u> On July 13, 2006, the Board of County Commissioners tentatively approved initial agency allocations and funding in the amount of \$13,373,836 for the Financially Assisted Agencies program. Supplemental staff recommendations for agency allocations totaling \$805,749 were distributed to Board members on September 7, 2006. The supplemental recommendations were necessary to identify allocations for additional funding designated by the Board at the July 13 th workshop. A spreadsheet summarizing staff recommendations for all agencies for the total funding amount of \$13,373,836 is attached to the agenda item. <u>Countywide</u> (TKF) (Community Services)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).